

NOTICE OF VIOLATION V-3-13-0240
CALIFORNIA COASTAL COMMISSION (CCC)
CDP A-3-SLO-01-122-A6

**REMOVAL, RESTORATION, RETENTION and ENHANCEMENT PLAN
(RRRE)**

FOR UNPERMITTED DEVELOPMENT, including
concrete pads, garden rock retaining walls, fencing, decking piers, wooden sheds,
gates, pedestrian path pavers, etc. and grading and vegetation removal.

&

FOR AFTER-THE-FACT (ATF) RECOGNITION OF CERTAIN
UNPERMITTED DEVELOPMENT

Cambria Pines Lodge, San Luis Obispo County

Respondents: Pacific Cambria, Inc., Dirk Winter

August 26, 2015

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Attachment 4 ... *Biological Report*, November 21, 2013 by VL Holland, PhD, Plant and Restoration Ecologist

I. OVERVIEW and PURPOSE OF THE REMOVAL, RESTORATION, RETENTION and ENHANCEMENT PLAN (RRRE)

This Removal, Restoration, Retention and Enhancement Plan (“RRRE” or “Plan”) has been prepared in response to a CCC Notice of alleged violations concerning unpermitted development on the Cambria Pines Lodge property (“subject property” or “Lodge”), as well as to provide a plan for site restoration and enhancement activities associated with the removal of such unpermitted development and as compensatory restoration/enhancement for after-the-fact (ATF) improvements retained under A-3-SLO-01-122-A6.

This Plan has specifically been developed to: (a) describe, and identify the location of, unpermitted development on the site related to the site’s environmentally sensitive habitat area (ESHA); (b) provide a detailed plan for restoration of the Lodge property where removal of said unpermitted development (including grading and vegetation removal) will occur; (c) recognize certain unpermitted development through an after-the-fact (ATF) CDP approval consistent with previously issued CCC permits for the Lodge, the San Luis Obispo County certified Local Coastal Program (LCP), and Coastal Act; and (d) provide for additional and permanent enhancement of areas as compensatory enhancement/restoration for the recognized ATF development located within ESHA.

II. BACKGROUND

Cambria Pines Lodge was originally developed as a visitor serving lodge in 1927. At that time, and since, the Lodge has continuously been operated with visitor accommodations, special events and activities for guests as well as the general public, food and beverage services, and a wide range of ancillary improvements and operations in support of the Lodge use. Since its inception, an equally wide range of improvements have occurred on the subject property, many of which were permitted by the County of San Luis Obispo, and more recently, California Coastal Commission since adoption of the California Coastal Act.

In November, 2001 the County of San Luis Obispo approved a Minor Use Permit and a Local Coastal Development Permit (CDP) (#D980113D) for various remodeling, additions and expansions of the visitor-serving use of the Cambria Pines Lodge. This local approval was appealed to the CCC in 2001. On August 6, 2003, the CCC approved a CDP (#A-3-SLO-01-112) which required the following:

- Special Condition 1 – plan revisions for “defensible spaces”, relocation of tennis courts, and filtering of storm water runoff
- Special Condition 2 – restrictions ensuring “no net increase” in water use
- Special Condition 3 – tree replacements pursuant to SLO County conditions
- Special Condition 4 – restrictions on new landscaping materials
- Special Condition 5 – best management practices for drainage, erosion and sediment control
- Special Condition 6 – incorporation by reference of SLO County conditions

While these special conditions addressed the CCC appeal, by incorporating the SLO County approval and conditions by reference, the property owner had assumed that continuing development pursuant to (and under the control of) SLO County standards would be required.

Attachment 5

On May 27, 2014 the Respondent received a Notice of alleged violations concerning the CCC's 2003 CDP, specific to various unpermitted development and use issues deemed inconsistent with the Lodge's CDP for the property. A copy of this Notice is included as Appendix A, and a copy of the 2003 CDP is included as Appendix B. The CCC violation Notice addresses both unpermitted physical development as well as notice of unpermitted temporary event development on the property (most specific to an annual Christmas Market on the Lodge property).

These Notice allegations required the Lodge owner and CCC staff to further investigate pre-existing (pre-2003 CCC CDP approval) development on the property, and unpermitted development not pre-existing and either subject to removal & restoration or potential allowance subject to an After-the-Fact (ATF) amendment to the original CDP through a typical CDP permit process.

This RRRE describes the unpermitted development to be removed and restored (including the areas of that removal and restoration, procedures for that removal and restoration, and follow-up monitoring provisions of the restoration), as well as describing development to be retained ATF.

III. PROJECT DESCRIPTION and SUMMARY

The Respondent proposes to address permitted and unpermitted development in the form of this Removal, Restoration, Retention, and Enhancement Plan (RRRE) as follows:

- Identify unpermitted development (Removal);
- Identify how removed development and activity areas will be restored (Restoration);
- Identify after-the-fact (ATF) improvements that will be recognized by CDP A-3-SLO-01-122-A6 (Retention);
- Identify appropriate compensatory enhancement/restoration for the ATF development (Enhancement).

The **Removal & Restoration** components of this Plan address the removal of the following improvements within the ESHA-designated areas (referenced on Exhibits 2, 3 and 4) constructed without the benefit of a CDP, and the subsequent restoration of lands under and around said removals.

Removal shall include:

1. All gravel pads with or without rock garden walls
2. All concrete pads
3. All (3) temporary sheds of 10' x 12' in size located on the Burton peninsula
4. All deck pier footings
5. Stock pile of boulders east of the pedestrian pathway on the Burton peninsula
6. Covered eating area east of the pedestrian pathway on the Burton peninsula
7. Kiosk east of the pedestrian pathway on the Burton peninsula

Restoration shall include 21,395 square feet of area on site and will generally follow the recommendations of the November 21, 2013 VL Holland "Biological Report" (see attachment 4, pages 49-51) and the provisions below. The area of restoration covers 21,395 square feet in area, as well as 67,798 square feet of enhancement (exhibit 2).

Attachment 5

The proposed **Retention and Enhancement** components of this Plan include:

1. Delineation of mapped ESHA on the property (exhibit 2);
2. 67,798 square feet of site enhancement area based on an approximate 3:1 ratio of restoration/unpermitted development areas to retained as ATF development (21,395 square feet) within the ESHA area shown on exhibit 2;
3. The addition of at least two interpretive signs, describing the Monterey Pine forest habitat, species, cultural history of the area, etc., adjacent to the paved public access path.

Garden-Greenhouse and Fire Road Areas

4. Retention of greenhouse and garden improvements (including fencing/gate/lighting) east of Building 17 on the Lodge property, that provide on-site vegetable and herbs for the restaurant operations ("Farm-To-Table") (11,775 square feet) (exhibits 3 & 4);
5. Retention of the access gate on the fire road near Lodge Building 27;
6. Retention of three (3) fire pit/seating areas west of the fire road (exhibit 3);
7. Retention of an approximately 675 linear foot by approximately 10 foot wide paved ADA-accessible pedestrian pathway on the fire road between Lodge Buildings 16-18 (6,900 square feet) (exhibit 3);
8. Retention of an amphitheater and fire pit/seating area west of the fire road (exhibit 3);
9. Retention of an approximately 160 linear feet of 42" tall safety railing on east side of fire road near the amphitheater, an 85 linear feet by 42" tall safety railing south of the garden, and an 50 linear feet by 42" tall section adjacent to the ADA ramp just north of the garden near Building 16 (exhibit 3).

Burton Peninsula Area

10. Retention of an approximately 470 linear foot by 5 foot wide public access pedestrian path between the fire road (behind Building 18) and the Burton Drive/Eton Road intersection near the Cambria Nursery (2,360 square feet) (exhibits 3, 4)
11. Retention of the public access gate at the Burton Drive/Eton Road entry to be open to free public use from 1 hour before sunrise to 1 hour after sunset, and the addition of informational signage reflecting these hours of public access (exhibit 4);
12. Retention of one (1) fire pit/seating area adjacent to the peninsula pathway (360 square feet) (exhibits 3, 4)

Public Access at Cambria Pines Lodge

The main development to be retained within the Commission's designated ESHA area consists of the paved public access paths and associated development (adjacent seating and fire pit area, safety fencing, ADA ramp, and gate). This path allows the public to traverse the southeast and eastern portions of the site within designated ESHA between the Burton Drive/Eton Road intersection and the existing dirt fire road, which extends to the north of the site. The unpermitted gate at the Burton Drive/Eton Road intersection (as well as the gate along the fire road in the north of the site near Building 27) shall remain open to the public daily from one hour before sunrise to one hour after sunset, and signage on each gate will inform the public of these access hours. Signage shall also include a Lodge phone number and an access logo.

Attachment 5

Public access via the peninsula gate at the intersection of Burton Drive and Eton Road and fire path gate shall occur by CPL staff opening and closing the gates manually at the designated times (one hour before sunrise and one hour after sunset), and by an electronic room entry key system.

Garden-Greenhouse area

The approximately 11,000-square-foot greenhouse and garden area will be retained. The Applicant has provided evidence that these uses were in existence prior to the original 2003 CDP approval. The greenhouse and garden area (including fencing/gate/lighting) east of Building 17 on the Lodge property provide on-site vegetable and herbs for the Lodge's restaurant operations ("Farm-To-Table").

IV. GENERAL RESTORATION PLAN PROVISIONS

Monterey Pine Forest at Cambria Pines Lodge.

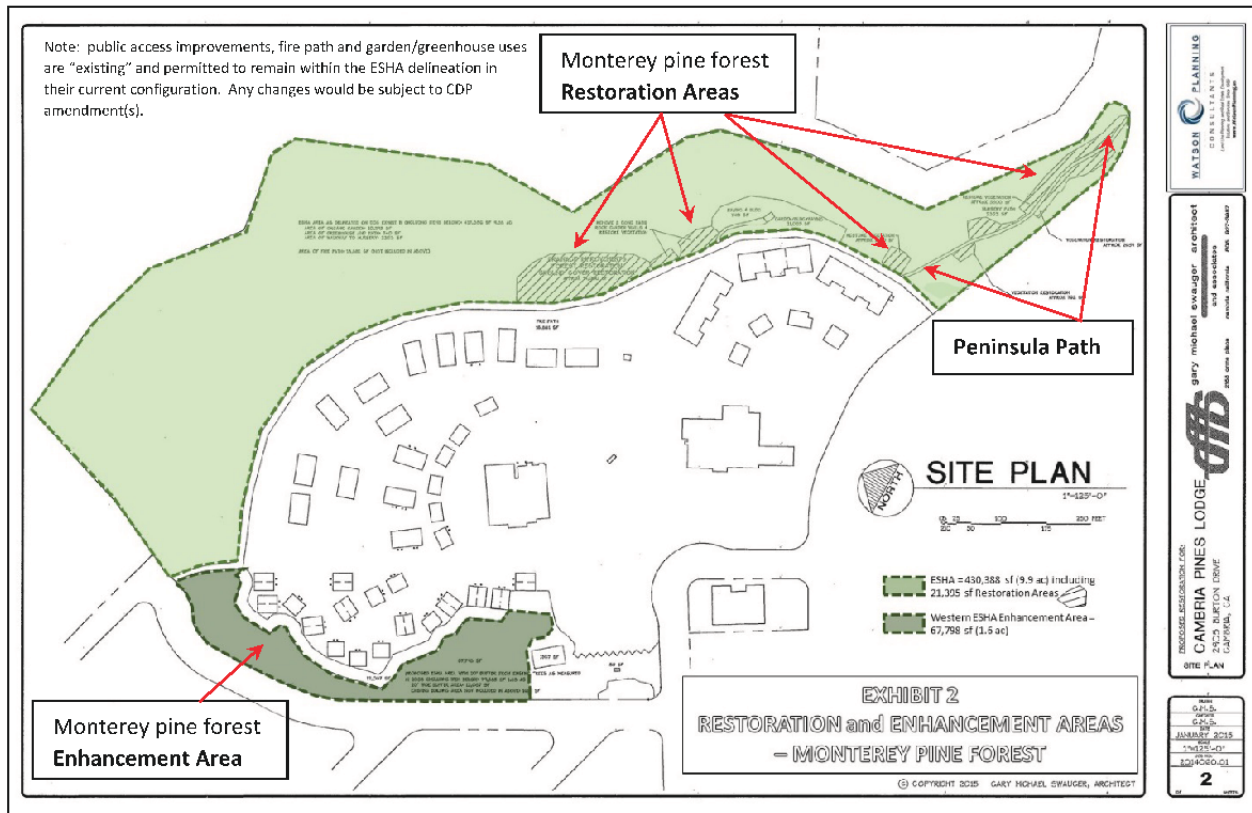
The San Luis Obispo County certified LCP aims to protect Monterey pine forest habitat in and around the Cambria community. Per the LCP, Monterey pine forest is an Environmentally Sensitive Habitat Area (ESHA), which requires special protections and, like all types of ESHA, only allows certain uses within it. The Cambria Pines Lodge is located within this LCP designation of Monterey pine forest ESHA.

Based on the 2013 Holland Biological Report and the Commission's 2003 findings, it is clear that the Cambria Pines Lodge site represents a "transitional" site between more urban development and a significant remnant stand of Monterey pine forest ESHA. The Holland materials document the marginal nature of portions of the site, and focuses on the relative values present in the areas generally north and east of the fire and pedestrian/utility paths that are present.

The 2003 CCC adopted staff report included an exhibit that designated the ESHA area on the site (Exhibit B). This exhibit is included as Attachment 3. Figure 1 below shows the designated ESHA area in light green. In addition, the restoration areas are highlighted east of the fire road and on both sides of the pedestrian path in the "peninsula" area. A large enhancement area located on the western portion of the site (in dark green), are proposed under this RRRE as detailed in the following sections.

The areas impacted by the unpermitted development, as well as areas impacted by the removal of unpermitted development, shall be restored as provided under this Plan, and as reflected on the exhibits associated with this RRRE (Gary Swauger, Architect).

Figure 1 – Cambria Pines Lodge Mapping of Proposed Restoration and Enhancement Areas



V. RE-VEGETATION

Proposed Re-Vegetation of Disturbed Areas

Re-vegetation areas are shown in hatch in Figure 1 above. Each of these areas will be re-vegetated to functioning Monterey pine forest habitat, using a variety of trees and understory plants, including:

Trees: Monterey Pine (*Pinus radiata*), Coast Line Oak (*Quercus agrifolia*)

Understory Plants: Yarrow (*Achilles millefolium*), Manzanita (*Arctosaphylos spp.*), Mountain lilac (*Ceanothus spp.*), Virgin's bower (*Clematis lasiantha*), Toyon (*Heteromeles arbutifolia*), Currants and Gooseberries (*Ribes spp.*), Snowberry (*Symphoricarpos mollis*)

Native, drought tolerant trees and shrubs to be used that are common to the Monterey pine forest in the Cambria area are also listed in Table 11 of the 2013 Holland report (Attachment 4). All plant materials will be (pine) seedlings resistant to pitch canker disease, and species found within the Cambria area only. Local and on-site propagation of plant materials is preferred.

Re-vegetation shall coincide with the next available winter rain season. Interim irrigation may be utilized to the extent needed. No permanent irrigation system for the re-vegetation areas is proposed.

To the extent that mesh or other erosion barriers are installed to control runoff during re-vegetation activities, these installations shall be fully removed at such time as the land is stabilized and in any event

no later than 1 year following initial plantings. Respondents may request for review and approval of the Executive Director, additional time to retain protective erosion barriers.

Re-vegetation shall not occur within any public access areas.

VI. MONITORING and REPORTING

Implementation Timeline and Schedule of Activities

Upon approval of the CDP amendment (A-3-SLO-01-122-A6) and RRRE Plan by the CCC, Respondents shall remove all described unpermitted development no later than three (3) months of the effective date of approval. Once all unpermitted development to be removed is removed, restoration and enhancement activities will be initiated as provided herein within two (2) months of completion of the removal. The length of restoration and enhancement will be dependent upon success and monitoring requirements (see below).

Performance Standards, Monitoring and Follow-up Report

Successful re-vegetation will be determined by stabilized soils and plant survival consistent with the surrounding site composition and coverage of similar species, generally in excess of a 75% survival rate.

The success of restoration and enhancement will be determined by required follow-up monitoring reports completed by a qualified biologist or landscape professional. The first follow-up monitoring report must be submitted to the Executive Director of the CCC for review and approval within 6 months of completion of the initial re-vegetation planting (which is in and of itself required to be undertaken within 2 months of the unpermitted development removal). The report shall include, at a minimum, a description of the removed unpermitted development and locations, the restoration and enhancement activities that have taken place, a general overview and determination of the success of those activities to date, and recommendations for any needed remedial actions/changes to the restoration and enhancement efforts. Any remedial actions, should any be necessary, will be completed in full as provided for in the follow-up reports.

After the first monitoring report, monitoring reports will be submitted annually to the Executive Director for review and approval, beginning six (6) months after the date of the first follow-up monitoring report, and continue for another five (5) years, for a total of six (6) years of reporting. Additional annual reports may be required as determined necessary by the Executive Director of the CCC if successful restoration and enhancement has not been reached.

Potential extensions of these deadlines, for good cause, may be considered by the Executive Director upon request of the Respondent. Respondents shall inform CCC staff of their date and time of commencement of the work and provide CCC with access to the site.

Attachment 5

VII. EXHIBITS

Exhibit 1 - As-Built Partial Site Plan from 2003 CCC CDP (A-3-SLO-01-122)

Exhibit 2 - Restoration and Enhancement Areas on the Lodge site – Monterey Pine Forest

Exhibit 3 – ATF 2015 CDP Amendment Site Plan

Exhibit 4 - Blow-up of Peninsula and Garden/Greenhouse Areas, and Burton Drive/Eton Road and fire road gate public access signs.

VIII. ATTACHMENTS

Attachment 1 ... CCC Notice of Violation, 5-27-2014

Attachment 2 ... 2003 CCC CDP A-3-SLO-01-122

Attachment 3 ... 2003 CCC ESHA Figure B

Attachment 4 ... *Biological Report*, November 21, 2013 by VL Holland, PhD, Plant and Restoration Ecologist

Submission of Documents:

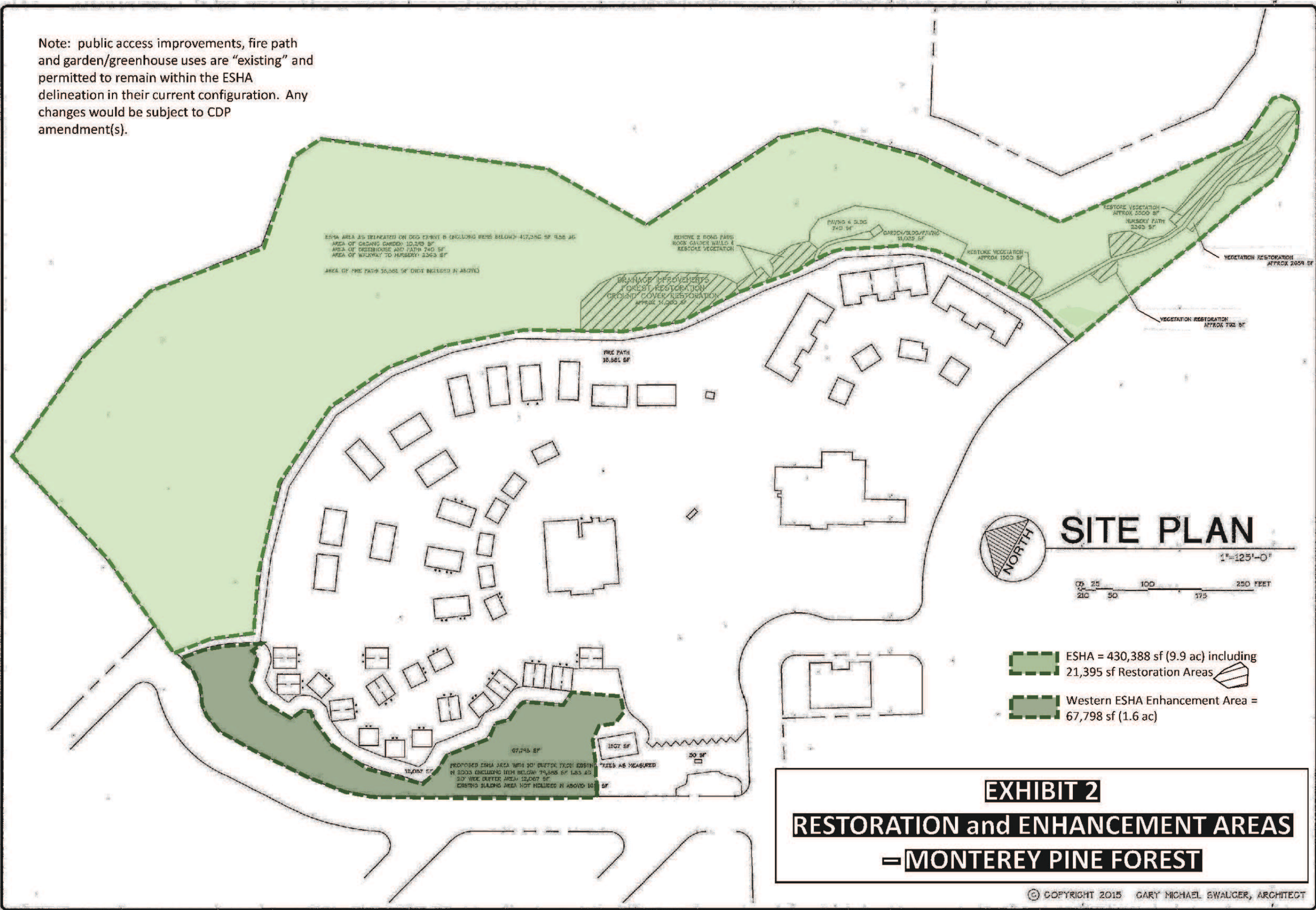
All plans, monitoring reports, photographs, and other materials required by this Plan shall be sent to:

California Coastal Commission,
Attn: Daniel Robinson and Sharif Traylor
725 Front Street, Suite 300
Santa Cruz, California 95060



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Note: public access improvements, fire path and garden/greenhouse uses are "existing" and permitted to remain within the ESHA delineation in their current configuration. Any changes would be subject to CDP amendment(s).



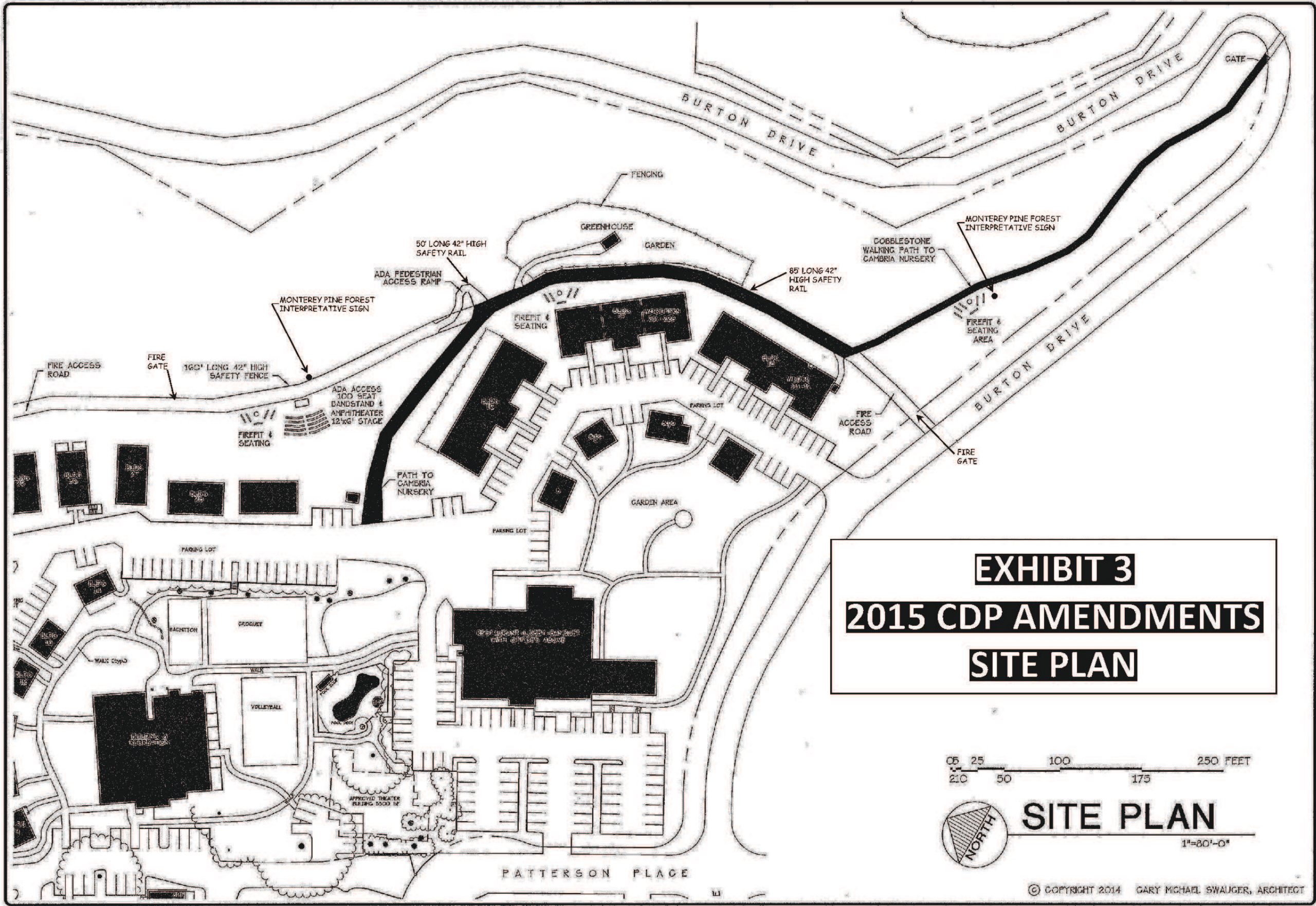
WATSON PLANNING CONSULTANTS
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San Mateo, CA 94403
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PROPOSED RESTORATION FOR:
CAMBRIA PINES LODGE
2405 BURTON DRIVE
CAMBRIA, CA

gary michael swalger architect
and associates
2555 camino real
cambridge, california 905 927-9987

SITE PLAN

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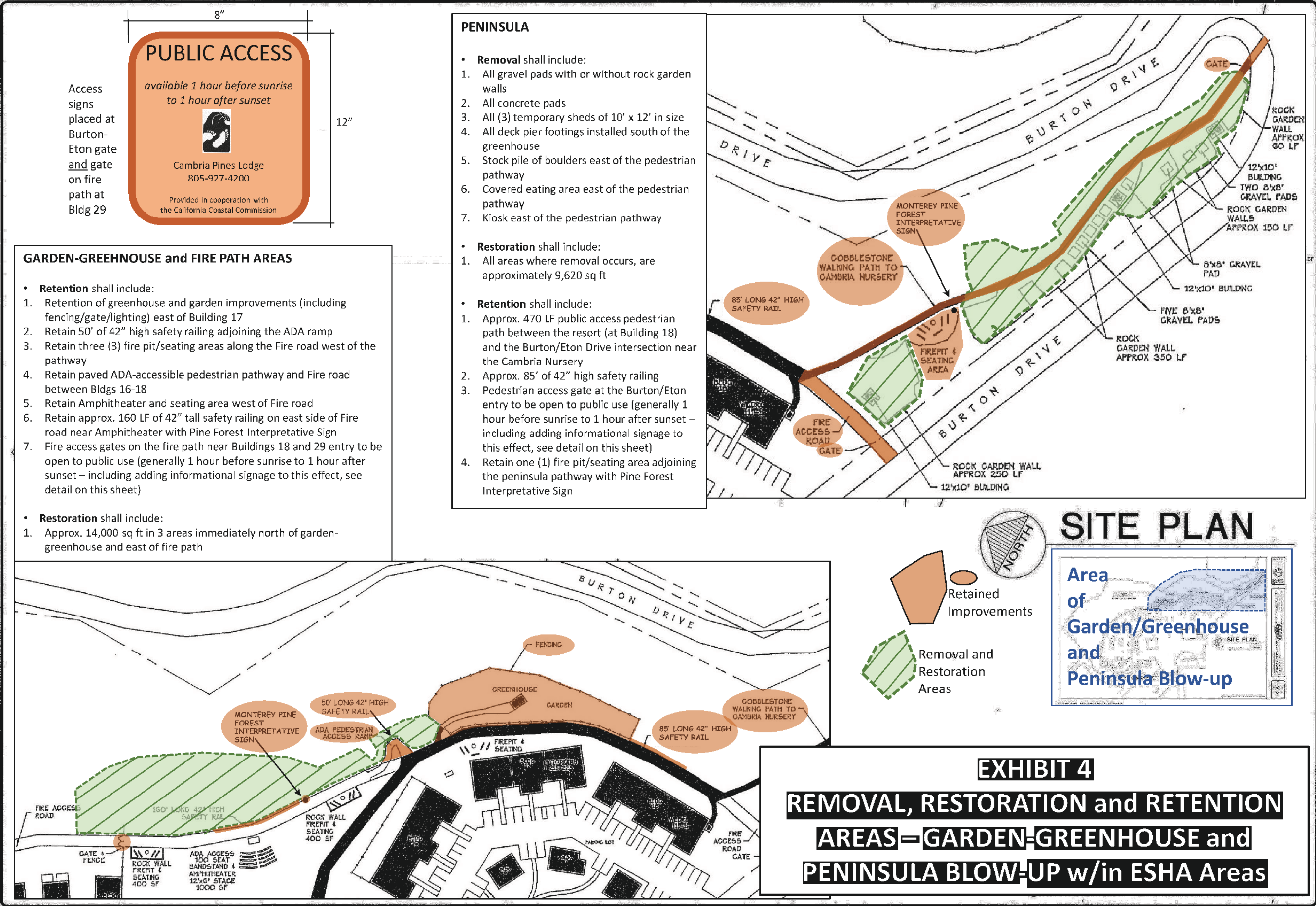


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PROPOSED 2014 CDP AMENDMENTS FOR
CAMBRIA PINES LODGE
2905 BURTON DRIVE
CAMBRIA, CA
SITE-2014 AMEND

gary michael swauger architect
and associates
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2155 orma place
957-34827

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PROPOSED RESTORATION FOR:

CAMBRIA PINES LODGE

2905 BURTON DRIVE
CAMBRIA, CA

SITE PLAN

gary michael swauger architect
and associates
cambridge, california 805 927-9887
2155 olive place

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Updated 8/28/2015